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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/553,877	04/20/2000	Gerald Peters	91164-9004	6196
22830	7590	01/27/2004	EXAMINER	
CARR & FERRELL LLP 2200 GENG ROAD PALO ALTO, CA 94303			BLECK, CAROLYN M	
			ART UNIT	PAPER NUMBER
			3626	
DATE MAILED: 01/27/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/553,877

Applicant(s)

PETERS ET AL.

Examiner

Carolyn M Bleck

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 15-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 15-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Notice to Applicant***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 27 October 2003 has been entered.

2. This communication is in response to the RCE filed 27 October 2003. Claims 1-11 and 15-29 are pending. Claims 12-14 have been cancelled. Claims 10, 11, 17, 24-25, and 29 have been amended.

### ***Specification***

3. The objections of the pending claims under 35 U.S.C. 132 are hereby withdrawn due to the amendment filed 27 October 2003.

### ***Claim Objections***

4. The objections of claims 24-25 and 29 are hereby withdrawn due to the amendment filed 27 October 2003.

### ***Claim Rejections - 35 USC § 112***

5. The rejection of claim 24 is hereby withdrawn due to the amendment filed 27 October 2003.

***Claim Rejections - 35 USC § 101***

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 16 and 26-27 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two-prong test of:

- (1) whether the invention is within the technological arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

(A) For a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences, for example), and therefore are found to be non-statutory subject matter. For a process claim to pass muster, the process must somehow apply, involve, use, or advance the technological arts.

In the present case, claims 16 and 26-27 only recite an abstract idea. The recited steps of merely continuously monitoring user input, storing user input, comparing user input against existing data entries, and real time updating of the existing data

Art Unit: 3626

entries based on user input does not apply, involve, use, or advance the technological arts since all of the recited steps can be performed in the mind of the user or by use of a pencil and paper. These steps only constitute an idea of how to update data.

As to technological arts recited in the preamble, mere recitation in the preamble (i.e., intended or field of use) or mere implication of employing a machine or article of manufacture to perform some or all of the recited steps does not confer statutory subject matter to an otherwise abstract idea unless there is positive recitation in the claim as a whole to breathe life and meaning into the preamble. In the present case, none of the recited steps are directed to anything in the technological arts as explained above with the exception of the recitation in the preamble that the method is "networked computers". Looking at the claim as a whole, nothing in the body of the claim recites any structure or functionality to suggest that a computer performs the recited steps. Therefore, the preamble is taken to merely recite a field of use.

Additionally, for a claimed invention to be statutory, the claimed invention must produce a useful, concrete, and tangible result. In the present case, the claimed invention monitors and stores data (i.e., repeatable) used for updating the data (i.e., useful and tangible).

Although the recited process produces a useful, concrete, and tangible result, since the claimed invention as a whole, is not within the technological arts as explained above, claims 16 and 26 are deemed to be directed to non-statutory subject matter.

Art Unit: 3626

(B) Claim 27 inherits the above deficiencies through dependency, and is thus rejected for the same reasons provided for claim 26, and incorporated herein.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 16 and 26-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Dworkin (4,992,940).

(A) As per claims 16 and 26, Dworkin discloses a system and method for automated selection of equipment for purchase through input of user desired specifications, comprising:

(a) a network of terminals connected to a central computer (col. 4, lines 3-12 and figure 1 of Dworkin);

(b) a system programmed to accept inputs from the user for any or all of the set of product specifications via a number entered on a keyboard (col. 5 lines 55-68) and upon entering the specifications, searching a database for products fulfilling the indicated criteria (col. 6 lines 10-15) (reads on “continuously monitoring user inputs” and “comparing the user input against existing data entries”);

(c) a database for storing data (Dworkin; col. 1, lines 63-68 and Fig. 1); and

(d) means for updating entered and received data (Dworkin; col. 10, lines 46-53).

(B) As per claim 27, Dworkin's "templates" are analogous to questionnaires (Dworkin; col. 5, lines 43-68 and figure 5). Further, Dworkin's system reacts globally (see updating of the database col. 10 lines 22-63) to the information entered by the user into these templates (Dworkin; col. 5, line 55 to col. 6, line 68).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-7, 9-11, 15, 17-19, 21-25, and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hecht (5,535,322) in view of Aleia et al. (5,991,733) and Bosco et al. (5,191,522).

(A) As per claim 1, Hecht discloses a data processing system and work flow management in a distributed data processing system, wherein the system relates to processing of imaged or multimedia documents for health and insurance forms (col. 1 lines 6-11, col. 3 lines 5-15) comprising:

(a) a distributed architecture where two or more computers communicate over a network (Fig. 3A-3B, col. 7 lines 40-53, col. 10 line 67 to col. 11 line 20, col. 11 line 50 to col. 13 line 45) (reads on "a plurality of networked computers");

(b) at least two other processor boxes executing services A and service B (Fig. 12, col. 15 line 55 to col. 16 line 55) (reads on “at least one of said computers comprising an activity processor”);

(c) a workflow manager including a work-in-process manager and work queue manager process executing on a processor box (Fig. 11A-11B, col. 15 line 55 to col. 16 line 5) (reads on “at least one of said computers comprising an activity scheduler”);

(d) at least one file server connected to the workstations/processors over a network (col. 8 lines 1-15, col. 8 line 55 to col. 9 line 8, col. 11 lines 51-67, col. 13 lines 10-17) (reads on “at least one file server operatively connected to said networked computers”);

(e) means for processing of imaged and multimedia documents for health and other insurance forms, filmless radiology, IRS tax submissions, and FBI fingerprint and voice identification, wherein the means includes a distributed architecture that is provided including multiple unclustered processors for performing functions related to the imaged and multimedia documents processing, allowing for scaling, parallelism, and availability (col. 3 lines 5-15, col. 7 lines 40-67) (reads on “means for real time performance of a plurality of functions relevant to administration of said organization”);

(f) means for entering an order into a workstation (Fig. 16A-16B, col. 1 line 64 to col. 27, col. 22 lines 34-65) (reads on “manual entry means for entering data relative to any of said functions”);

(g) sending data to an external system from workstations for an entity check and an integrity check, wherein the system performs the integrity check by checking inter



Art Unit: 3626

field arithmetic and other integrity assertions, and wherein the system performs the entity check by checking if a submission has an unchanged preprinted IRS label affixed, and if the label is unchanged, then an entity check is not required, wherein if an entity check is required, then an image is routed to the entity check, wherein a check includes checking for address changes (Fig. 4-5, col. 6 lines 40-61, col. 8 line 55 to col. 9 line 23, col. 9 lines 42-55, col. 10 lines 28-50) (reads on "data receiving and verifying means for receiving and verifying data from any of said networked computers, against said manual entry means and said at least one predetermined standard");

(h) a work in progress manager for updating the state of the work-in-progress submission attributes database, wherein the work in progress submissions are stored in a distributed file system, wherein processors performing services A and B access the manager for work, and wherein when the processors perform the work, the database is updated, wherein data sharing occurs between the manager and processors and each of the manager and processors have a copy of the data, and wherein the data remains consistent by synchronizing the data (Fig. 12, col. 11 line 50 to col. 12 line 57, col. 16 lines 19-42, col. 18 lines 19-27, col. 22 line 65 to col. 26 line 60) (reads on "means responsive to said entered data and received data for real time updating of said data across said network of computers relative to any of said functions when desired");

(i) a storage and retrieval subsystem comprising temporary storage servers, an archives server, and databases for storing data (Abstract; Fig. 3A-3B, col. 8 lines 1-15, col. 22 line 65 to col. 26 line 60); and

(j) menus shown in a user-system interface for showing data (col. 8 lines 1-15, col. 15 line 20 to col. 16 line 5).

Hecht fails to expressly disclose a means for predefining via said activity scheduler relative to said entered data that selected first types of entered data are to be processed by said activity processor in real time and that selected second types of said entered data are to be queued for processing at another time. However, Hecht discloses using a workflow manager including a work-in-process manager and work queue manager process executing on a processor box for dispatch work to processors (Fig. 11A-11B, col. 3 line 60 to col. 4 line 52, col. 14 line 45 to col. 16 line 5).

Aleia discloses a file processor means for storing and managing predetermined collections of data, said file processor means being interconnected and responsive to each of a plurality of workstation processor means, wherein the file processor and workstation include software configured for predetermined collection accounts processing including predetermined managing of collector queues processing, wherein managing collector queues processing includes an on-line ability to prioritize an account for immediate attention by a collector or manager (reads on "in real time") and to prioritize and distribute the workload among collection's staff, and move one group of collection accounts from one collector's queue to another collector's queue for processing (reads on "queued") (Fig. 1G-1L, 3, 8, col. 5 lines 43-55, col. 10 line 28 to col. 12 line 7, col. 13 lines 13-17, col. 14 line 48 to col. 15 line 37, col. 16 lines 33-63, col. 21 line 58 to col. 26 line 65) (reads on "means for predefining via said activity scheduler relative to said entered data that selected first types of entered data are to be

processed by said activity processor in real time and that selected second types of said entered data are to be queued for processing at another time”).

At the time the invention was made, it would have been obvious to include the features of Aleia within the system of Hecht with the motivation of prioritizing tasks to ensure better workload distribution (Aleia; col. 11 lines 40-55) thus ensuring “privileged” or important customer documents are given priority treatment (Hecht; col. 2 lines 10-26).

Hecht fails to expressly disclose menu driven means for defining a product in response to menu selections made by a user and menu driven means for receiving a request into said network of computers by displaying via said display means screens that vary depending upon said request.

Bosco discloses an integrated workstation to offer menu selections commensurate with the function to be performed by the operator (col. 22, lines 13-39). These menus are utilized in order to write and store necessary information, such as the insurance products and terms outlined in columns 4-19 of Bosco, into the relational database. Thus, Bosco teaches a menu-driven insurance product defining means used for developing new products (col. 28 lines 9-25). In addition, Bosco inherently receives an application for insurance products defined within his system (see underwriting sub-system col. 30 lines 18-31), as supported by the fact that he discloses a means for flexible on-line access to contract, form, and general information that is captured by efficient forms filling, recording, and cloning processes (col. 26, lines 55-62).

At the time the invention was made, it would have been obvious to include the features of Bosco within the system taught collectively by Hecht and Aleia with the motivation of providing automated sales support such as tracking and reporting of proposals and improving work management tools such as integrated case tracking (Bosco; col. 2 lines 5-25).

(B) As per claim 2, Aleia discloses inputting data into a screen, such as decision support actions related to an account (Fig. 1J, 1K, col. 11 lines 2-30). It is noted that “inputting data into a screen related to decision support actions” is considered to be a form of “means for generating a series of questions to a user”). As per the recitation of “means for modifying the operation of said system to globally conform to the answers to said questions,” note the discussion above in the rejection of claim 1, section h. The motivation for combining Aleia within Hecht is given above in claim 1, and incorporated herein.

(C) As per claims 3-7, Bosco discloses a means for storing data (reads on “means defining four levels”) comprising:

(a) a database level for storing all data in a relational database (Fig. 12-13, col. 2 line 28 to col. 3 line 45, col. 29 line 48 to col. 31 line 11);

(b) a client level having a table in a database storing data related to a company, association or trust (Fig. 12-13, col. 2 line 28 to col. 3 line 45, col. 10 lines 8-25, col. 29 line 48 to col. 31 line 11);

(c) a coverage level defining specific versions of group insurance, such as basic or supplemental) within a major category of coverage (such as Life or Medical), wherein the coverage level identifies specific insurance vehicles, which, when qualified by various funding methods, become the components of a plan of insurance (Fig. 12-13, col. 2 line 28 to col. 3 line 45, col. 11 lines 1-35, col. 29 line 48 to col. 31 line 11) (As per the recitation of "menu based generation of the parameters of a product line") see the discussion of Bosco in the rejection of claim 1); and

(d) a product level for developing new products, for producing policyholder, coverage, rate, and participant data, and for generating new sales proposals outlining the coverage, rates, and restrictions for the account (reads on "forms") (Fig. 12-13, col. 28 lines 9-15, col. 29 line 48 to col. 31 line 11).

The motivation for combining Bosco within the system taught by Hecht and Aleia collectively is given above in claim 1, and incorporated herein.

(D) Claim 9 differs from system claim 1 by reciting "a means for providing a retrievable audit history of every function processed by the system, wherein the audit history is at least retrievable by date, time, and transaction type," "a means for defining a hierarchy of sales agents comprising who each sales agent reports to and who reports to each sales agent, wherein the means selectively defining thereby a corresponding hierarchy for each product," "a means for real time calculation of commissions for sales agents based on where an agent is in the hierarchy," "a means for the real time reversal of any transaction," "a means for changing a sales agent's commission when a relevant

transaction is reversed," "a means for calculating commission tax information," and "a means for printing a commission tax form."

As per these elements, Bosco discloses having a detailed audit trail of transactions within his system (Bosco; col. 25, lines 30-32). The teaching of Bosco directed to the processing of agent-related information was discussed above in the rejection claim 1, and is incorporated herein. It would have been obvious to the skilled artisan to retrieve audit information stored in the system taught collectively by Hecht, Aleia, and Bosco collectively with the motivation of giving the person who initiated a transaction the opportunity to follow up and complete the same transaction, as he or she would be the most knowledgeable of the transaction and would have developed a rapport with the client in the time spent working on that transaction.

Bosco suggests that representatives (e.g., agents) are assigned to cases based on their rank or experience levels (col. 14, lines 24-33 of Bosco). Bosco also teaches the processing of agent commission schedules within his system (col. 13, lines 2-30). It would have been readily apparent to the artisan that an agent's rank or experience level is directly linked to his or her commission. The motivation for incorporating Bosco's teachings within the system taught collectively by Hecht and Aleia is as discussed above in the rejection of claim 1.

Bosco discloses a "commission processing means for calculating commissions due on each account, taxes, minimum payments and issuing advances on earned commissions, means for storing and providing premium and claim information for accounting and tax purposes, means for communicating with the central processing unit

Art Unit: 3626

and memory, ..." (emphasis added)(Bosco; col. 30, lines 51-59). It would have been obvious to print this information on a tax form with the motivation of providing a hard copy of such information to each agent. The motivation for incorporating Bosco's teachings within the system taught collectively by Hecht and Aleia is as discussed above in the rejection of claim 1.

The remainder of system claim 9 repeats the same limitations of system claim 1, and is therefore rejected for the same reasons given above for claim 1, and incorporated herein.

(E) Claims 10, 11, and 25 differ from claim 1 by reciting "entering optional parameters for delayed updating of said data" and "prioritizing said updating of said data based on said optional parameters."

Aleia discloses a file processor means for storing and managing predetermined collections of data, said file processor means being interconnected and responsive to each of a plurality of workstation processor means, wherein the file processor and workstation include software configured for predetermined collection accounts processing including predetermined managing of collector queues processing, wherein managing collector queues processing includes an on-line ability to prioritize an account for immediate attention by a collector or manager (reads on "in real time") and to prioritize and distribute the workload among collection's staff, and move one group of collection accounts from one collector's queue to another collector's queue for processing (reads on "queued") (Fig. 1G-1L, 3, 8, col. 5 lines 43-55, col. 10 line 28 to

Art Unit: 3626

col. 12 line 7, col. 13 lines 13-17, col. 14 line 48 to col. 15 line 37, col. 16 lines 33-63, col. 21 line 58 to col. 26 line 65).

The remainder of claims 10, 11, and 25 are similar in scope to system claim 1, and are therefore rejected under the same rationale given above for claim 1. The teachings of Hecht, Aleia, and Bosco relevant to the features of claims 10, 11, and 25 are as discussed in the rejections of claim 1 above, and are incorporated herein.

(F) As per claim 15, Hecht discloses executing software in the data processing system (col. 23 lines 40-45).

(G) The claims 17-19 are similar in scope to system claims 1-3, and are therefore rejected under the same rationale given above for claims 1-3. The teachings of Hecht, Aleia, and Bosco relevant to the features of claims 17-19 are as discussed in the rejections of claims 1-3 above, and are incorporated herein.

(H) Claim 21 is similar in scope to system claims 1-3, and is therefore rejected under the same rationale given above for claims 1-3. The teachings of Hecht, Aleia, and Bosco relevant to the features of claim 21 is as discussed in the rejections of claims 1-3 above, and are incorporated herein.

(I) As per claim 22, it is noted that Bosco discloses a prospective pricing program module that performs the routine calculations necessary to determine premium needs



Art Unit: 3626

for a prospective policy period for each case, wherein the rates can be determined and updated as necessary, and wherein the rates are provided for immediate and consistent use by departments (col. 27 lines 22-30 and col. 28 lines 3-8) (reads on “immediate execution” and “critical insurance function”). Furthermore, Bosco discloses a self administered billing program module for generating bills on a stated frequency which reflects the coverage, bill mode, bill categories, rate structure, and bill location (col. 24 lines 43-61) and reporting program modules for analyzing premiums, claims, and information system information (col. 26 line 4 to col. 27 line 10) (reads on “queue” and “non-critical insurance function”). It is respectfully submitted that typically in insurance processing systems certain functions are performed immediately, such as premium calculations, to provide customers with immediate information, and certain functions, such as billing and reporting, are performed in batches based on a schedule such as once a month. It is well known in the art that billing and reporting require intensive data processing, and therefore the skilled artisan would have found it an obvious modification within the system taught collectively by Hecht, Aleia, and Bosco to include billing and reporting as a “non-critical” insurance function with the motivation of reducing processing expenses and improving customer service (Bosco; col. 26 lines 10-20) by running billing, reporting, and other non-essential insurance functions during down time on the network (i.e., few users on the system). Furthermore, it is well known in the art that customers typically want premiums calculated immediately and it is clearly known in the art that a system would not run premium calculations as a batch process because customer’s need the information immediately. Therefore, it would have been obvious to

Art Unit: 3626

include calculating premiums immediately within the system taught collectively by Hecht, Aleia, and Bosco with the motivation of improving customer service (Bosco; col. 26 lines 10-20) by providing customers with necessary information immediately.

(J) As per claim 23, Bosco discloses a function of the enterprise-wide integrated computer system including rate calculation for premiums (col. 24 lines 43-50, col. 27 lines 22-30, and col. 29 line 48 to col. 30 line 31).

(K) Claim 24 repeats the same limitations as claim 2, and is therefore rejected for the same reasons given for claim 2, and incorporated herein.

(L) Claim 28 repeats the same limitations as claim 20, and is therefore rejected for the same reasons given for claim 20, and incorporated herein.

(M) Claim 29 is similar in scope to system claim 1, and is therefore rejected under the same rationale given above for claim 1. The teachings of Hecht, Aleia, and Bosco relevant to the features of claim 21 is as discussed in the rejections of claim 1 above, and are incorporated herein.

12. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luchs et al. (4,831,526) in view of Hecht (5,535,322).

(A) As per claim 8, Luchs discloses a computerized insurance method for preparing and processing applications for insurance and premium quotations, and for preparing and writing insurance contracts, where terminals communicate with a central processor over communications channels such as telephone lines or on-line (Abstract; col. 13 line 64 to col. 14 line 36, col. 26 lines 9-12, col. 28 lines 30-36):

(a) displaying in menus a series of fields requiring data to be entered, for example, a Yes or No answer, for defining a new insurance policy and correlating with the policy the needed insurance documents for the policy (Figures 10A-10F, col. 14 line 58 to col. 15 line 15, col. 22 line 35 to col. 24 line 35, col. 28 lines 20-52);

(b) entering information related to fields of data, such as an answer to a Yes or No question, interactively communicating on-line with the databank, wherein the information is used to create the policy (Figures 10A-10F, col. 14 line 58 to col. 15 line 15, col. 22 line 35 to col. 24 line 35, col. 28 lines 20-52);

(c) combining information entered at the terminal via the menus with data stored in the databank to generate the premium quote and policy, displaying the premium quote information at the terminal, and correlating client data in the databank, data entered at the terminal, and predetermined text data to create insurance contract documents tailored to individual clients, wherein sub-menus are displayed which depend on selections made by a users in the main menus (Luch's databank stored in a central processor (Figure 1) is considered to be a form of an "activity processor" and on-line communication is considered to be a form of "real-time") (Figures 10A-10F, col. 14 line 58 to col. 15 line 15, col. 22 line 35 to col. 24 line 35, col. 28 lines 20-52).

Luchs fails to expressly disclose deeming at least one of said computers an activity scheduler.

Hecht discloses work flow manager comprising a work-in-process manager to manage the states of all work items and a work queue manager to dispatch work (col. 4 lines 28-34, col. 15 line 34 to col. 16 line 55).

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include the features of Hecht within the method of Luchs with the motivation of efficiently routing work to accommodate differences in the time to complete (Hecht; col. 3 lines 5-15 and col. 4 lines 40-45).

### ***Response to Arguments***

13. Applicant's arguments with respect to claims 1-11 and 15-29 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. The cited but not applied prior art teaches a service allocation system (5,006,983), workflow server for medical records imaging and tracking system (5,319,543), a system for transactional processing between an information processing server and a plurality of workstations (5,598,750), an integrated activity management system (5,721,913), workflow real time intervention system (5,826,020), a process and apparatus for controlling the work flow in a multi-user computing system (5,848,271), a

Art Unit: 3626

method and apparatus for facilitating customer service communications in a computing environment (5,862,322), a workflow modeling system (5,890,130), and multi-processing financial transaction processing system (6,442,533).

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn Bleck whose telephone number is (703) 305-3981. The Examiner can normally be reached on Monday-Thursday, 8:00am – 5:30pm, and from 8:30am – 5:00pm on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached at (703) 305-9588.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 306-1113.

16. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**

(703) 872-9306 or (703) 872-9326 [Official communications]

(703) 872-9327 [After Final communications labeled "Box AF"]

Application/Control Number: 09/553,877  
Art Unit: 3626


Page 21

(703) 746-8374 [Informal/ Draft communications, labeled  
"PROPOSED" or "DRAFT"]

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,  
Arlington, VA, 7th Floor (Receptionist).

CB

CB  
January 9, 2004

  
JOSEPH THOMAS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600